

REMARKS

In response to the restriction requirement, Applicant has previously elected Group II, claims 4-12.

Claims 4-12 have been rejected under 35 USC 103(a) as being unpatentable over Finkelstein et al. in view of Barry et al. Applicant respectfully traverses. The claims, as amended, more clearly reflect that data is collected from an implanted medical device and provided to a central resource. From this resource, medical caregivers are alerted and/or directed access patient data.

Neither reference alone or in combination teaches the collection of data from an implanted medical device and the subsequent actions taken. As such the claims are allowable over the art of record. Applicant respectfully requests a favorable action on the merits. Should any issues remain outstanding, the Examiner is urged to telephone the undersigned to expedite prosecution.

Respectfully submitted,

Date: June 15, 2006

/Daniel G. Chapik/
Daniel G. Chapik
Reg. 43,424
Telephone: (763) 514-3066
Customer No. 27581